REMARKS/ARGUMENTS

Anticipation Rejections to Claims 1 to 7, 9 to 16 and 18 under 35 U.S.C. § 102(e)

In the Office Action, Examiner rejects pending claims 1 to 7, 9 to 16 and 18 under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 7,188,151 to Kumar.

Response to Rejections of Claims 1 to 7, 9 to 16 and 18 under 35 U.S.C. § 102(e)

In response to Examiner's rejection of claims 1 to 9, 13 to 22 and 25, Applicant has amended claims 1 and 10 for improving clarity thereto.

Amended claims 1 and 10 respectively recite a data acquisition source management method and a system for managing acquisition sources. The data acquisition source management method and system involve generating a source list for containing at least one acquisition source by a Real-time Multimedia Data On Demand (RTMDOD) server. Each of the at least one acquisition source contained in the source list is for providing data and is in data communication with the RTMDOD server. The data acquisition source management method and system also involve providing the source list to a data requestor system. The source list is provided by the RTMDOD server in response to the RTMDOD server receiving a list request from the data requestor system. The data requestor system is in data communication with the RTMDOD server. The data acquisition source management method and system further involve receiving a data request from the data requestor system by the RTMDOD server. The data request is a request for data from at least one of the acquisition source that is registered on the source list and indicated thereby.

In particular, amended claims 1 and 10 recite a RTMDOD server that is used to provide data from at least one acquisition source to a data requester system in response to the RTMDOD server receiving a request from the data requester system. Applicant respectfully submits that the teachings of Kumar are distinct and serve a different purpose from amended claims 1 and 10 of Applicant's application.

Examiner explains that Kumar teaches a method of managing transmission of data from a patient-side device to a provider-side device that is being described by claims 1-7, 9-16 and 18 of Applicant's application. The patient-side device initiates a request through an engine for data to be sent to the provider-side device. Further, the engine provides a list of patient-side devices that

are presently connected to the engine. Examiner has equated the RTMDOD server, the acquisition source and the data requestor system of Applicant's application with the engine, patient-side device and provider-side device respectively of Kumar.

However, Kumar teaches that the request for data is initiated by the acquisition source. Kumar therefore does not teach or intimate, according to amended claims 1 and 10, that the request is initiated by the data requestor system as supported by lines 3 to 5 of page 9 of Applicant's application.

Furthermore, although Kumar teaches providing a source list or patient list to the data requestor system, the source list is not provided in response to the request from the data requestor system as recited in amended claims 1 and 10 of Applicant's application. On the contrary, Kumar teaches provision of the source list in response to the request that is initiated by the acquisition source.

The above described merits of Applicant's application result from the unique configuration as recited in amended claims 1 and 10. The unique configuration is not taught by Kumar and therefore is not anticipated by the prior art patent.

In accordance with the submitted amendments to claims 1 and 10 and the accompanying response explaining to Examiner of the distinctions therein over Kumar, the rejections under 35 U.S.C. §102(e) of claims 1 and 10 are consequently disposed of and these claims are in condition for allowance. Applicant respectfully submits that other 35 U.S.C. §102(e) rejections for dependent claims 2 to 7, 9, 11 to 16 and 18 are consequently disposed of and are therefore in condition for allowance.

Obviousness Rejections of Claims 8 and 17

In the Office Action, Examiner rejects pending claims 8 and 17 under 35 U.S.C. §103(a) as being obvious to a person having ordinary skill in the art in view of Kumar. Examiner explains that Kumar teaches communications between the engine and the provider-side device and is of the opinion that it would have been obvious to a person having ordinary skill in the art to provide an error message to the provider-side device when the provider-side device improperly accesses a website provided by the engine.

Response to Obviousness Rejections of Claims 8 and 17

In the foregoing response to rejections to novelty of claims 1 and 10, explanation and amendments to claims 1 and 10 are provided to overcome the rejections. In light of this, the invention of Applicant would not have been available, at the time the invention was made, to a person having ordinary skill in the art to modify upon although systems and methods for managing acquisition sources were already disclosed by Kumar.

Applicant explains that each of claims 8 and 17 of Applicant's application describes one of a method and a system for providing an error message to the data requestor by the RTMDOD server in response to the data request.

Unlike what was perceived by Examiner that providing an error message is obvious in view of the teachings by Kumar relating to communications between an engine (RTMDOD server) and a provider (data requestor system), Applicant explains that the error message is generated subsequent to a request being initiated by the data requestor system in response to data request.

Instead, the method of Kumar teaches that the request is initiated by the acquisition source and not by the data requestor system in response to data request. As such, a person having ordinary skill in the art upon understanding Kumar would realize that an error message is generated only if the data request is initiated by the acquisition source and not subsequent to a request being initiated by the data requestor system in response to the data request.

Applicant additionally submits that each of claims 8 and 17 of Applicant's application describes additional improvements to one of amended claims 1 and 10. Therefore when amended claims 1 and 10 are not obvious to a person having ordinary skill in the art, claims 1 and 10 would not have been available for improvements to be made thereto by each of claims 8 and 17. In light of the unavailability of amended claims 1 and 10 to a person skilled in the art and the fact that each of claims 8 and 17 further introduces at least a new element or at least a new step, each of claims 8 and 17 of Applicant's application is submitted to involve an inventive step.

Conclusion

In accordance with amended claims 1 and 10 and accompanying response to the Office Action, reconsideration and withdrawal of rejections to claims 1 to 9, 13 to 22 and 25 under 35 U.S.C. § 102(e) and rejections to claims 8 and 17 under 35 U.S.C. §103(a) are respectfully requested. It is believed that no extension of time or fees are required, beyond those noted or that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Conley Rose, P.C.'s Deposit Account Number 03-2769/2085-04100.

Respectfully submitted,

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